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IN THE CLAIMS

Change the claims to read as shown below on pages 3 through 9. A marked up version of the original claims is shown on pages 10 through 19.

Change to:

1. (amended) A performance management system for an organization that uses verifiable measures of element impact derived from tangible indicators of element performance to support financial performance management and optimization.
2. (original) The system of claim 1 where an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.
3. (amended) The system of claim 1 that supports management by category of value, element of value, enterprise and combinations thereof
4. (amended) The system of claim 4 where elements of value are selected from the group consisting of: alliances, brands, channels, customers, customer relationships, employees, equipment, intellectual property, partnerships, processes, production equipment, vendors, vendor relationships and combinations thereof.
5. (amended) The system of claim 1 where the elements of value can be clustered into sub-elements of value for more detailed analysis.
6. (amended) The system of claim 1 where an enterprise is a single product, a group of products, a division or a company.
7. (amended) The system of claim 1 where the categories of value are from the group consisting of current operation, real options, market sentiment and combinations thereof where the current operation category of value can be further subdivided by component of value where the components of value are revenue, expense or capital change.

8. (amended) The system of claim 1 where the verifiable measures are selected from the group consisting of item performance indicators, value drivers, composite variables, vectors and combinations thereof.

9. (amended) The system of claim 1 where tangible indicators are selected from the group consisting of composite variables, transaction averages, time lagged transaction ratios, time lagged transaction trends, time lagged transaction averages, time lagged transaction data, transaction patterns, geospatial measures, relative rankings, links, frequencies, time periods, average time periods, cumulative time periods, rolling average time period, cumulative total values, the period to period rates of change

10. (amended) The system of claim 1 that further comprises:
data management tools,
an organization finance model by category of value, and
tools for using said model to optimize one or more aspects of organization financial performance.

11. (amended) The system of claim 10 where the organization finance model further comprises a two tier model where the inter-relationship between each element of value, the categories of value and other elements of value by enterprise is quantified in the first tier and the inter-relationship between each enterprise in the organization, the categories of value and the other enterprises is quantified in the second tier

12. (amended) The system of claim 11 where the categories of value are from the group consisting of current operations, real options, market sentiment and combinations thereof.

13. (amended) The system of claim 11 where the predictive models use algorithms from the group consisting of neural network; regression, generalized additive; support vector method, entropy minimization, Markov, Bayesian, multivariate adaptive regression splines, multivalent and path analysis models.

14. (amended) The system of claim 10 where the organization finance model integrates tools for organization management from the group consisting of element modeling tools, option models, component models and combinations thereof.

15. (amended) The system of claim 10 where the tools for managing performance are selected from the group consisting of automated equity trading, element ranking, impact analysis, management reporting, multi-criteria optimization, network optimization, simulation, valuation and combinations thereof.

16. (amended) The system of claim 10 where the aspects of financial performance are selected from the group consisting of organization market value, organization current operation value, organization real option value, organization revenue, organization expense, organization capital change and combinations thereof.

17. (amended) The system of claim 15 where the impact analysis identifies the impact of an element of value or enterprise on an aspect of financial performance and the impact the element or enterprise on an aspect of financial performance is the direct impact net of any impact on other elements of value.

18. (amended) The system of claim 15 where the valuations identify the value of an element of value or enterprise to the organization and the value of the element or enterprise is determined by their direct impacts on aspects of financial performance net of any impacts on the other elements or enterprises.

19. (original) The system of claim 17 where the predictive models use the output from element modeling tools as inputs and the best fit predictive models are developed in an automated fashion by learning from the data.

20. (original) The system of claim 13 where the data management tools are from the group consisting of data aggregation, data conversion, data distribution, data integration, data normalization and combinations thereof.

21. (original) A computer readable medium having sequences of instructions stored therein, which when executed cause the processors in a plurality of computers that have been connected via a network to perform an data aggregation method, comprising:

aggregating data from a stand alone organization management systems in accordance with an xml schema, and making the aggregated data available for use in processing by other applications.

22. (amended) The computer readable medium of claim 21 where organization management systems are selected from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, estimating systems, intellectual property management systems, process management systems, supply chain management systems, vendor management systems, operation management systems, enterprise resource planning systems (ERP), material requirement planning systems (MRP), quality control systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, purchasing systems, web site systems, external databases and combinations thereof.

23. (original) The computer readable medium of claim 21 where the data includes historical data, forecast data and combinations thereof.

24. (original) The computer readable medium of claim 21 where the data are transaction data, descriptive data, geospatial data, text data, linkage data and combinations thereof.

25. (original) The computer readable medium of claim 21 wherein an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.

26. (original) The computer readable medium of claim 21 where the xml schema includes a data dictionary where the data dictionary defines standard data attributes from the group consisting of account numbers, components of value, currencies, elements of value, enterprise designations, time periods, units of measure and combinations thereof.

27. (original) The computer readable medium of claim 21 where the xml schema includes an xml metadata standard.

28. (original) The computer readable medium of claim 21 where data is aggregated by retrieving data stored in accordance with the xml schema, accepting data prepared in accordance with the xml schema, converting data to the xml schema and combinations thereof.

29. (original) The computer readable medium of claim 21 where aggregation is completed on a continuous basis, a bulk basis, a batch basis and combinations thereof.

30. (original) The computer readable medium of claim 21 where the aggregated data is stored in a central repository from the group consisting of database, data mart, data warehouse and combinations thereof.

31. (amended) A computer readable medium having sequences of instructions stored therein, which when executed cause the processors in a plurality of computers that have been connected via a network to perform an intangible evaluation method, comprising:

using organization related data to create tangible performance indicators for intangible elements of value.

32. (amended) The computer readable medium of claim 31 where the method further comprises identify the causal performance indicators by element of value before summarizing them into concrete measures of element performance that support useful analyses.

33. (amended) The computer readable medium of claim 31 where the intangible elements of value are alliances, brands, channels, customers, customer relationships, employees, employee relationships, intellectual property, partnerships, processes, vendors, vendor relationships and combinations thereof.

34. (amended) The computer readable medium of claim 31 where an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.

35. (amended) The computer readable medium of claim 31 where the tangible performance indicators are selected from the group consisting of transaction ratios, transaction trends, transactions, transaction averages, transaction data, time lagged transaction ratios, time lagged transaction trends, time lagged transaction averages, time lagged transaction data, transaction patterns, geospatial measures, relative rankings, links, frequencies, time periods, average time periods, cumulative time periods, rolling average time period, cumulative total values, the period to period rate of change in value, the rolling average value and combinations thereof.

36. (amended) The computer readable medium of claim 32 where the concrete measures of element performance are selected from the group consisting of value drivers, composite variables, vectors and combinations thereof.

37. (amended) The computer readable medium of claim 36 where composite variables are selected from the group consisting of equations that combine value drivers, logical combinations of value drivers and combinations thereof

38. (amended) The computer readable medium of claim 32 where the concrete measures can be used to support useful analyses from the group consisting of contribution determinations, forecasts, impact assessments, optimizations, option discount rate calculations, simulations, valuations and combinations thereof.

39. (amended) The computer readable medium of claim 32 where the method further comprises using said measures as inputs to predictive models where the ratio of the weights from the best fit predictive model are combined with category or component valuations to determine the value of intangible element of value.

40. (original) The computer readable medium of claim 39 where the valuations identify the value of the element of value to the organization and the value of the element is a function of the elements direct impact on aspects of financial performance net of any impacts on the other elements of value.

41. A model development method, comprising:

aggregating organization data from a variety of sources in accordance with a common schema,
modeling organization elements of value using at least a portion of said data as required to identify tangible indicators and develop concrete element performance measures using said indicators,
combining said measures with historical and forecast data for the categories and components of value as required to develop enterprise models that are useful in completing forecasts, impact assessments, optimizations, simulations, valuations and combinations thereof, and
integrating said models into a tier of an organization finance model.

42. (original) The method of claim 41 where an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.

43. (original) The method of claim 41 where elements of value are selected from the group consisting of: alliances, brands, channels, customers, customer relationships, employees, equipment, intellectual property, partnerships, processes, production equipment, vendors, vendor relationships and combinations thereof.

44. (original) The method of claim 41 where the categories of value are from the group consisting of current operation, real options, market sentiment and combinations thereof.

45. (original) The method of claim 41 where the components of value are revenue, expense or capital change.

46. (original) The method of claim 41 that is completed in an automated fashion by learning from the data.

47. (amended) The method of claim 41 that further comprises
modeling organization enterprises using at least a portion of said data as required to identify tangible performance indicators and develop concrete enterprise performance measures using said indicators,

combining said measures with historical and forecast data for the categories and components of value as required to develop a model relating each enterprise to the categories and components of value, and
integrating said model into a second tier of an organization finance model.

48. (amended) The method of claim 47 where the organization finance model supports activities from the group consisting of automated equity trading, element ranking, impact analysis, management reporting, multi-criteria optimization, network optimization, option discount rate calculation, pricing optimization, process optimization, purchasing optimization, simulation, element valuation and combinations thereof.

Marked up original:

1. (amended) A performance management system for an organization that uses verifiable measures of element impact derived from tangible indicators of element performance to support financial performance management and optimization.

2. (original) The system of claim 1 where an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.

3. (amended) The system of claim 1 that supports activities ~~from the group consisting~~management by category of automated equity trading~~value~~, element ranking, impact analysis, management reporting, multi-criteria optimization, network optimization, option discount rate calculation, pricing optimization, process optimization, purchasing optimization, simulation, ~~valuation of value~~, enterprise and combinations thereof.

4. ~~The system of claim 3 where the multi-criteria optimizations identify changes in operation that will optimize two or more aspects of financial performance where the aspects of financial performance are selected from the group consisting of organization market value, organization current operation value, organization real option value, organization revenue, organization expense, organization capital change and combinations thereof.~~(amended) The system of claim 4 where elements of value are selected from the group consisting of: alliances, brands, channels, customers, customer relationships, employees, equipment, intellectual property, partnerships, processes, production equipment, vendors, vendor relationships and combinations thereof.

5. ~~The system of claim 3 where the impact analysis identifies the impact of an element of value or enterprise on an aspect of financial performance and the impact the element or enterprise on an aspect of financial performance is the direct impact net of any impact on other elements of value.~~(amended) The system of claim 1 where the elements of value can be clustered into sub-elements of value for more detailed analysis.

6. ~~The system of claim 3 where the valuations identify the value of an element of value or enterprise to the organization and the value of the element or enterprise is determined by their direct impacts on aspects of financial performance net of any~~

~~impacts on the other elements or enterprises.~~(amended) The system of claim 1 where an enterprise is a single product, a group of products, a division or a company.

7. ~~The system of claim 1 that supports financial performance management by category of value, element of value, enterprise and combinations thereof.~~(amended) The system of claim 1 where the categories of value are from the group consisting of current operation, real options, market sentiment and combinations thereof where the current operation category of value can be further subdivided by component of value where the components of value are revenue, expense or capital change.

8. (amended) ~~The system of claim 71 where elements of value the verifiable measures are selected from the group consisting of: alliances, brands, channels, customers, customer relationships, employees, equipment, intellectual property, partnerships, processes, production equipment, vendors, vendor relationships item performance indicators, value drivers, composite variables, vectors and combinations thereof.~~

9. ~~The system of claim 8 where the elements of value can be clustered into sub-elements of value for more detailed analysis.~~(amended) The system of claim 1 where tangible indicators are selected from the group consisting of composite variables, transaction averages, time lagged transaction ratios, time lagged transaction trends, time lagged transaction averages, time lagged transaction data, transaction patterns, geospatial measures, relative rankings, links, frequencies, time periods, average time periods, cumulative time periods, rolling average time period, cumulative total values, the period to period rates of change

10. ~~The system of claim 7 where an enterprise is a single product, a group of products, a division or a company.~~(amended) The system of claim 1 that further comprises:
data management tools,
an organization finance model by category of value, and
tools for using said model to optimize one or more aspects of organization financial performance.

11. ~~The system of claim 7 where the categories of value are from the group consisting of current operation, real options, market sentiment and combinations~~

~~thereof.~~(amended) The system of claim 10 where the organization finance model further comprises a two tier model where the inter-relationship between each element of value, the categories of value and other elements of value by enterprise is quantified in the first tier and the inter-relationship between each enterprise in the organization, the categories of value and the other enterprises is quantified in the second tier

~~12. The system of claim 11 where the current operation category of value can be further subdivided by component of value where the components of value are revenue, expense or capital change.~~(amended) The system of claim 11 where the categories of value are from the group consisting of current operations, real options, market sentiment and combinations thereof.

~~13. The system of claim 1 that further comprises data management tools and an organization finance model by category of value.~~(amended) The system of claim 11 where the predictive models use algorithms from the group consisting of neural network; regression, generalized additive; support vector method, entropy minimization, Markov, Bayesian, multivariate adaptive regression splines, multivalent and path analysis models.

~~14. The system of claim 13 where the organization finance model further comprises a two tier model where predictive models and option models quantify the inter-relationship between each element of value, the categories of value and other elements of value by enterprise in the first tier and predictive models and option models quantify the inter-relationship between each enterprise in the organization, the categories of value and the other enterprises in the second tier.~~(amended) The system of claim 10 where the organization finance model integrates tools for organization management from the group consisting of element modeling tools, option models, component models and combinations thereof.

~~15. The system of claim 14~~(amended) The system of claim 14~~10 where the categories of value~~tools for managing performance are selected from the group consisting of revenue, expense, capital change~~automated equity trading, element ranking, impact analysis, management reporting, multi-criteria optimization, network optimization, simulation, valuation and combinations thereof.~~

16. ~~The system of claim 14 where the predictive models use algorithms from the group consisting of neural network, regression, generalized additive, support vector method, entropy minimization, Markov, Bayesian, multivariate adaptive regression splines, multivalent and path analysis models.~~(amended) The system of claim 10 where the aspects of financial performance are selected from the group consisting of organization market value, organization current operation value, organization real option value, organization revenue, organization expense, organization capital change and combinations thereof.

17. ~~The system of claim 13 where the organization finance model integrates tools for organization management from the group consisting of element modeling tools, enterprise analysis frameworks, option models, predictive models and combinations thereof.~~(amended) The system of claim 15 where the impact analysis identifies the impact of an element of value or enterprise on an aspect of financial performance and the impact the element or enterprise on an aspect of financial performance is the direct impact net of any impact on other elements of value.

18. ~~The system of claim 17 where the element modeling tools are selected from the group consisting of performance indicator creation tools, value driver identification tools, composite variable development tools, vector creation algorithms and combinations thereof.~~(amended) The system of claim 15 where the valuations identify the value of an element of value or enterprise to the organization and the value of the element or enterprise is determined by their direct impacts on aspects of financial performance net of any impacts on the other elements or enterprises.

19. (original) The system of claim 17 where the predictive models use the output from element modeling tools as inputs and the best fit predictive models are developed in an automated fashion by learning from the data.

20. (original) The system of claim 13 where the data management tools are from the group consisting of data aggregation, data conversion, data distribution, data integration, data normalization and combinations thereof.

21. (original) A computer readable medium having sequences of instructions stored therein, which when executed cause the processors in a plurality of computers that have been connected via a network to perform an data aggregation method, comprising:

aggregating data from a ~~variety of sources~~stand alone organization management systems in accordance with an xml schema, and making the aggregated data available for use in processing by other applications.

22. (amended) The computer readable medium of claim 21 where ~~data is obtained~~organization management systems are selected from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, estimating systems, intellectual property management systems, process management systems, supply chain management systems, vendor management systems, operation management systems, enterprise resource planning systems (ERP), material requirement planning systems (MRP), quality control systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, purchasing systems, web site systems, ~~the Internet, external databases, user input and combinations thereof.~~

23. (original) The computer readable medium of claim 21 where the data includes historical data, forecast data and combinations thereof.

24. (original) The computer readable medium of claim 21 where the data are transaction data, descriptive data, geospatial data, text data, linkage data and combinations thereof.

25. (original) The computer readable medium of claim 21 wherein an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.

26. (original) The computer readable medium of claim 21 where the xml schema includes a data dictionary where the data dictionary defines standard data attributes from the group consisting of account numbers, components of value, currencies,

elements of value, enterprise designations, time periods, units of measure and combinations thereof.

27. (original) The computer readable medium of claim 21 where the xml schema includes an xml metadata standard.

28. (original) The computer readable medium of claim 21 where data is aggregated by retrieving data stored in accordance with the xml schema, accepting data prepared in accordance with the xml schema, converting data to the xml schema and combinations thereof.

29. (original) The computer readable medium of claim 21 where aggregation is completed on a continuous basis, a bulk basis, a batch basis and combinations thereof.

30. (original) The computer readable medium of claim 21 where the aggregated data is stored in a central repository from the group consisting of database, data mart, data warehouse and combinations thereof.

31. (amended) A computer readable medium having sequences of instructions stored therein, which when executed cause the processors in a plurality of computers that have been connected via a network to perform an intangible asset evaluation method, comprising:

using organization related data to create tangible performance indicators for intangible elements of value.

~~32. The computer readable medium of claim 31 where the intangible elements of value are alliances, brands, channels, customers, customer relationships, employees, employee relationships, intellectual property, partnerships, processes, vendors, vendor relationships and combinations thereof.~~ (amended) The computer readable medium of claim 31 where the method further comprises identify the causal performance indicators by element of value before summarizing them into concrete measures of element performance that support useful analyses.

33. ~~The computer readable medium of claim 31 where an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.~~ (amended) The computer readable medium of claim 31 where the intangible elements of value are alliances, brands, channels, customers, customer relationships, employees, employee relationships, intellectual property, partnerships, processes, vendors, vendor relationships and combinations thereof.

34. ~~The computer readable medium of claim 31 where the tangible performance indicators are selected from the group consisting of transaction ratios, transaction trends, transactions, transaction averages, transaction data, time lagged transaction ratios, time lagged transaction trends, time lagged transaction averages, time lagged transaction data, transaction patterns, geospatial measures, relative rankings, links, frequencies, time periods, average time periods, cumulative time periods, rolling average time period, cumulative total values, the period to period rate of change in value, the rolling average value and combinations thereof.~~ (amended) The computer readable medium of claim 31 where an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.

35. (amended) The computer readable medium of claim 31 where the method further comprises identify the causal ~~tangible~~ performance indicators by element ~~are selected from the group consisting of value before summarizing them into concrete~~ transaction ratios, transaction trends, transactions, transaction averages, transaction data, time lagged transaction ratios, time lagged transaction trends, time lagged transaction averages, time lagged transaction data, transaction patterns, geospatial measures, relative rankings, links, frequencies, time periods, average time periods, cumulative time periods, rolling average time period, cumulative total values, the period to period rate of element performance change in value, the rolling average value and combinations thereof.

36. (amended) The computer readable medium of claim 35 ~~32~~ where the concrete measures of element performance are selected from the group consisting of value drivers, composite variables, vectors and combinations thereof.

37. (amended) The computer readable medium of claim 36 where composite variables are selected from the group consisting of equations that combine value drivers, logical combinations of value drivers and combinations thereof

38. (amended) The computer readable medium of claim ~~35~~32 where the concrete measures can be used to support useful analyses from the group consisting of contribution determinations, forecasts, impact assessments, optimizations, option discount rate calculations, simulations, valuations and combinations thereof.

39. (amended) The computer readable medium of claim ~~35~~32 where the method further comprises using said measures as inputs to predictive models where the ratio of the weights from the best fit predictive model are combined with category or component valuations to determine the value of intangible element of value.

40. (original) The computer readable medium of claim 39 where the valuations identify the value of the element of value to the organization and the value of the element is a function of the elements direct impact on aspects of financial performance net of any impacts on the other elements of value.

41. A model development method, comprising:

aggregating organization data from a variety of sources in accordance with a common schema,

modeling organization elements of value using at least a portion of said data as required to identify tangible indicators and develop concrete element performance measures, using said indicators,

combining said measures with historical and forecast data for the categories and components of value as required to develop enterprise models relating elements of value to the categories and components of value for each enterprise that are useful in the organization completing forecasts, impact assessments, optimizations, simulations, valuations and combinations thereof, and

integrating said models into a tier of an organization finance model.

42. (original) The method of claim 41 where an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain.

43. (original) The method of claim 41 where elements of value are selected from the group consisting of: alliances, brands, channels, customers, customer relationships, employees, equipment, intellectual property, partnerships, processes, production equipment, vendors, vendor relationships and combinations thereof.

44. (original) The method of claim 41 where the categories of value are from the group consisting of current operation, real options, market sentiment and combinations thereof.

45. (original) The method of claim 41 where the components of value are revenue, expense or capital change.

46. (original) The method of claim 41 that is completed in an automated fashion by learning from the data.

47. (amended) The method of claim 41 that further comprises
modeling organization enterprises using at least a portion of said data as required to
identify tangible performance indicators and develop concrete enterprise
performance measures, using said indicators,
combining said measures with historical and forecast data for the categories and
components of value as required to develop ~~models~~ a model relating ~~enterprises~~ each
enterprise to the categories and components of value, and
integrating said models into a second tier of an organization finance model.

48. (amended) The method of claim 47 where the organization finance model supports activities from the group consisting of automated equity trading, element ranking, impact analysis, management reporting, multi-criteria optimization, network optimization, option discount rate calculation, pricing optimization, process optimization, purchasing optimization, simulation, element valuation and combinations thereof.